

V. REMARKS

Claims 1, 3, 7, 10, 13 and 14 are rejected under 35 U.S.C. 102(b) as anticipated by Hillenkamp et al. (U.S. Patent No: 6,423,966). The rejection is respectfully traversed.

Hillenkamp teaches a method and apparatus for MALDI analysis. Nucleic acid molecules are captured onto a pin of a pintoil. The nucleic acid on the pin is illuminated to generate desorbed nucleic acid and to partially randomize the directional momentum of the desorbed nucleic acid molecules. The molecular weight of the desorbed nucleic acid molecules is determined by mass spectrometry.

Claim 1 is directed to a laser desorption ionization mass spectrometric method which applies a laser beam to a sample placed on a sample plate attached to a mass spectrometer so that the sample is ionized and then analyzed. Claim 1 recites the steps of:

adsorbing a sample on a membrane which has been affixed on a flat metal plate of the sample plate;

applying a reagent to the adsorbed sample on the membrane to subject the sample to a modifying reaction; and

analyzing the sample through a laser desorption ionization mass spectrometric method by attaching the sample plate after the modifying reaction to a mass spectrometer.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claim 1. Specifically, it is respectfully submitted that the applied art fails to teach adsorbing a sample on a membrane. Also, it is respectfully submitted that the applied art fails to teach a membrane which has been affixed on a flat metal plate of the sample plate. It follows that the applied art further fails to teach the step of applying a reagent to the adsorbed sample on the membrane. By contrast, it is respectfully submitted that the applied art teaches a sample plate and membrane but the sample plate and membrane are spaced apart from one another by spacers and a sample material

is disposed on the sample plate in the space formed between the sample plate and membrane. As a result, it is respectfully submitted that claim 1 is allowable over the applied art.

Claim 10 is directed to a sample plate that includes a flat metal plate having a flat surface and a membrane being affixed onto the flat surface of the flat metal plate.

It is respectfully submitted that the rejection is improper because the applied art fails to teach each element of claim 10 as we propose to amend it. Specifically, it is respectfully submitted that the applied art fails to teach a flat metal plate having a flat surface and a membrane being affixed onto the flat surface of the flat metal plate. As a result, it is respectfully submitted that claim 10 is allowable over the applied art.

It is respectfully submitted that claim 10 is amended for clarity purposes only.

Claims 3 and 7 depend from claim 1 and include all of the features of claim 1. Claims 13 and 14 depend from claim 10 and include all of the features of claim 10. Thus, it is respectfully submitted that the dependent claims are allowable at least for the reasons the independent claims are allowable as well as for the features they recite.

For instance, claim 3 recites that the adsorbing step of the sample onto the membrane is carried out through a method in which a medium on which the sample is developed is superposed on the membrane on the sample plate and a voltage is applied between the medium and the membrane so that the sample is transferred onto the membrane from the medium.

Withdrawal of the rejection is respectfully requested.

Claims 2, 4-6, 8, 9, 11 and 12 are rejected under 35 U.S.C. 103(a) as unpatentable over Hillenkamp in view of Little et al. (US Patent Publication Number 2003/0096426). The rejection is respectfully traversed.

Claims 2, 4-6 and 8 depend from claim 1 and include all of the features of claim 1. Claims 11 and 12 depend from claim 10 and include all of the features of claim 10. Thus, it is respectfully submitted that the dependent claims are

allowable at least for the reasons the independent claims are allowable as well as for the features they recite.

Furthermore, it is respectfully submitted that Little cannot be applied as a prior art reference. The publication date of Little is May 22, 2003. Applicant claims a priority date of May 11, 2002. Thus, the priority date of the present application precedes the publication date of the applied art.

Withdrawal of the rejection is respectfully requested.

In view of the foregoing, reconsideration of the application and allowance of the pending claims are respectfully requested. Should the Examiner believe anything further is desirable in order to place the application in even better condition for allowance, the Examiner is invited to contact Applicants' representative at the telephone number listed below.

Should additional fees be necessary in connection with the filing of this paper or if a Petition for Extension of Time is required for timely acceptance of the same, the Commissioner is hereby authorized to charge Deposit Account No. 18-0013 for any such fees and Applicant(s) hereby petition for such extension of time.

Respectfully submitted,

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